



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

THOMAS FEY ET AL.

Serial No. 10/611,731

Filed: July 1, 2003

For: Process for Production of Paint Coating
Layers

Art Unit: 1762

Examiner: Cameron, Erma C.

Atty. Docket: FA1097 US NA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b) TO
OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION
OVER A PENDING SECOND APPLICATION**

Petitioner, E.I. du Pont de Nemours and Company, of 1007 Market Street, Wilmington, DE, represents that it is the assignee of all title and interest in United States Patent Application Serial No. 10/611,731 filed on July 1, 2003 for Process for Production of Paint Coating Layers.

Petitioner, E.I. du Pont de Nemours and Company, hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date any patent issuing from United States Patent Application Serial Number 10/017,132, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from United States Patent Application Serial Number 10/017,132. Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any patent issuing from United States Patent Application Serial Number 10/017,132, in the event that the patent issuing from United States Patent Application Serial Number 10/017,132, is abandoned, expires for failure to pay a maintenance fee, is held disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title as stated above. This disclaimer shall not be effective against any patent term extensions

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12/20/2004 HAL111 00000047 041928 10610731
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12/22/2004 HAL111 00000001 041928 10611731
02 FC:1814 130.00 DA

obtained under 35 U.S.C. §156 for any patent granted on the above-identified application. This terminal disclaimer shall run with any patent granted on the above-identified application and shall be binding upon the grantee, its successors or assigns.

For submission on behalf of the Petitioner, the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge our Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company) for the fee required for this Terminal Disclaimer under 37 C.F.R. 1.20(d). Two copies of this form are enclosed.

Respectfully submitted,



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DATED: December 14, 2004